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U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CA.
OAKLAND, CA.

8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 In re) Case No. 10-40297 EDJ
12 Doyle D. Heaton and Mary K. Heaton) Chapter 11
13 Debtors) NOTICE OF WITHDRAWAL OF PROOF
14) OF CLAIM BY CREDITOR JUAN
15) PABLO GARIBALDO

16 **TO THE UNITED STATES BANKRUPTCY COURT FOR THE**
17 **NORTHERN DISTRICT OF CALIFORNIA, AND TO DEBTORS, AND THEIR**
18 **COUNSEL, AND TO ALL OTHER PARTIES IN INTEREST:**

19 **NOTICE IS HEREBY GIVEN** that Creditor Juan Pablo Garibaldo hereby
20 withdraws, with prejudice, his claim filed herein (Claim 38-1) against the debtors Doyle D.
21 Heaton and Mary K. Heaton.

22 Dated: August 22, 2011

JOHN M. O'BRIEN & ASSOCIATES, P.C.

23
24
25 By: 

26 John M. O'Brien
27 Attorneys for Creditor
28 Juan Pablo Garibaldo

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE
Garibaldo v. Delco, Contra Costa Superior Court Case No. CIVMSC09-00263

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 5 Hutton Centre Drive, Suite 900, Santa Ana, California 92707.

On **September 15, 2011**, I served the foregoing document described as **NOTICE OF WITHDRAWAL OF PROOF OF CLAIM BY CREDITOR JUAN PABLO GARIBALDO** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

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☒ **(By Mail)** As follows: I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Santa Ana, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **(By Facsimile Transmission)** In addition to service by mail, as set forth above, the counsel or interested party **authorized** to accept service was also forwarded a copy of said document(s) by facsimile transmission at the facsimile number corresponding with his/her name. The facsimile machine I used complied with CRC Rule 2301(3) and no error was reported by the machine. Pursuant to Rule 2306(h)), I caused the machine to print a transmission record of the transmission, which will be provided upon request.

☐ **(By Personal Service)** I delivered such envelope by hand to the offices of the addressee(s).

☐ **(By Overnight Express)** I deposited in a box or other facility regularly maintained by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.

Executed on **September 15, 2011**, at Santa Ana, California. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Lori Totri